

JAMES E. TOWERY -- BAR NO. 74058  
LAURA F. DUMAS -- BAR NO. 242270  
HOGE, FENTON, JONES & APPEL, INC.  
Sixty South Market Street, Suite 1400  
San Jose, California 95113-2396  
Phone: (408) 287-9501  
Fax: (408) 287-2583

Attorneys for Defendant  
THOMAS SPIELBAUER

ANN MILLER RAVEL, County Counsel -- Bar No. 62139  
MARCY L. BERKMAN, County Counsel -- Bar No. 151915  
OFFICE OF THE COUNTY COUNSEL  
70 West Hedding Street, East Wing, Ninth Floor  
San Jose, California 95110-1770  
Phone: (408) 299-5900  
Fax: (408) 2927240

Attorneys for Defendants  
COUNTY OF SANTA CLARA, J.J. KAPP,  
MICHELLE DIEDERICHs, RONALD KNAPEL,  
STEFANY GLASS, LYNN AGRE, THOMPSON  
SHARKEY, AND RODERIC O'CONNOR

ANTHONY BOSKOVICH -- Bar No. 121198  
LAW OFFICES OF ANTHONY BOSKOVICH  
28 N. First Street, 6<sup>th</sup> Floor  
San Jose, CA 95113-1210  
Phone: (408) 286-5150  
Fax: (408) 286-5170

Attorney for Plaintiff  
LONGINO ACERO, JR.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LONGINO ACERO, JR.

Plaintiff,

vs.

COUNTY OF SANTA CLARA, J.J.  
KAPP; MICHELLE DIEDERICHs;  
RONALD KNAPEL; STEFANY GLASS;  
LYN AGRE; THOMAS SPIELBAUER;  
THOMPSON SHARKEY; RODERIC  
O'CONNOR; DOES 1 to 100,,

Defendants.

No. 07-cv-00029-JW

STIPULATION OF THE PARTIES AND  
PROPOSED ORDER TO CONTINUE  
HEARING ON DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT

Whereas a hearing on defendants' motion for summary judgment has been specially set for October 2, 2007; and

Whereas counsel for all parties have been consumed with the press of business over the past several weeks; and

Whereas plaintiff's counsel has vacation planned from August 28, 2007 to September 10, 2007, and a jury trial on September 17, 2007, both of which occur just before plaintiff's counsel would be required to file an opposition to defendants' motion for summary judgment with the current hearing date; and

Whereas counsel for defendant Thomas Spielbauer, James Towery, will be out of the country from August 28, 2007 to September 15, 2007; and

Whereas all counsel desire to devote sufficient attention to the unique legal issues presented in this motion; and

Whereas in addition to the matters noted above, all counsel are facing significant competing demands from other matters on calendar, the interests of justice would be served by a continuance of the hearing date and the concurrent briefing schedule;

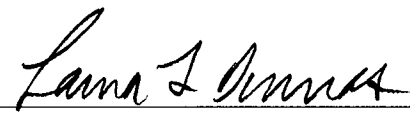
Therefore the parties stipulate and agree as follows:

1) That the hearing on the motion for summary judgment be continued from October 2, 2007 at 9:00 a.m. to November 5, 2007 at 9:00 a.m.

SO STIPULATED.

DATED: August 17, 2007

HOGE, FENTON, JONES & APPEL, INC.

By   
Laura F. Dumas  
Attorneys for Defendant Thomas  
Spielbauer

DATED: August 20, 2007

1 DATED: August 17, 2007

ANN MILLER RAVEL  
OFFICE OF THE COUNTY COUNSEL

2  
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4 By Marcy L. Berkman,  
Deputy County Counsel  
5 Attorneys for Defendants County of Santa  
6 Clara, et al.  
7  
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9 DATED: August \_\_\_\_, 2007

LAW OFFICES OF ANTHONY  
BOSKOVICH

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13 By Anthony Boskovich  
Attorney for Plaintiff Longino Acero, Jr.  
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1 ANN MILLER RAVEL  
2 OFFICE OF THE COUNTY COUNSEL

3  
4 By Marcy L. Berkman,  
5 Deputy County Counsel  
6 Attorneys for Defendants County of Santa  
7 Clara, et al.

8  
9 DATED: August 20, 2007

10 LAW OFFICES OF ANTHONY  
11 BOSKOVICH

12   
13 By Anthony Boskovich  
14 Attorney for Plaintiff Longino Acero, Jr.

*James Ware*  
**PROPOSED ORDER**

Per the stipulation of the parties, the hearing on defendants' motion for summary judgment, which was specially set for October 2, 2007 is hereby continued to November 5, 2007 at 9:00 a.m. The parties shall follow the local rules with respect to filing and briefing of Defendant's anticipated Motion for Summary Judgment.

Date: 8/22/2007

*James Ware*  
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HON. JAMES WARE, DISTRICT COURT JUDGE